

ORDINANCE 2010 - 15

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING THE CITY OF LA FERIA CODE OF ORDINANCES APPENDIX A: FEE SCHEDULE AND ESTABLISHING A REVISED FEE TO BE CHARGED TO PROPERTY OWNERS FOR CODE COMPLIANCE ACTIVITIES UNDERTAKEN BY CITY EMPLOYEES, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Chapter 6 – Health and Sanitation of the City of La Feria Code of Ordinances, in order to protect the health, safety and welfare of the community, requires property owners and occupants to maintain certain minimum standards on the property;

WHEREAS, Article 6.02.002(a) provides that the accumulation of trash, debris, stagnant water, or other objectionable, unsightly or unsanitary matter that is visible from a public street or alley constitutes a public nuisance; and

WHEREAS, Article 6.02.002(b) provides that to allow or permit grass or weeds to grow to a height that exceeds twelve inches also constitutes a public nuisance;

WHEREAS, Article 6.02.003 provides the methods by which the City shall notify the owner of the property of the alleged prohibited condition, and provide a timeframe in which the work must be completed, or the City will complete the work and assess the owner;

WHEREAS, Article 6.02.004 provides that, the City may assess expenses incurred under this Article against the real estate on which the work is done;

WHEREAS, Chapter 3- Building Regulations of the City of La Feria Code of Ordinances, in order to protect the health, safety and welfare of the community, requires property owners and occupants to maintain certain minimum standards on the property;

WHEREAS, Article 3.05.002(a) prohibits the owner of any building to become dilapidated, substandard, unfit for human occupation, or a hazard to the health safety, and welfare of the citizens of the City;

WHEREAS, Article 3.05.002(b) prohibits any owner from allowing any building or part of a building to be unoccupied and unsecured from unauthorized entry;

WHEREAS, Article 3.05.013 and Article 3.05.014 authorize the City to secure buildings or make such other repairs to the extent necessary to bring the building into compliance with the minimal applicable standards and assess the expenses incurred in so doing against the property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

1. The La Feria Code of Ordinances, Appendix A-Fee Schedule is hereby amended to provide for the fees to be charged for code compliance activities completed by City employees on private property as follows: \$100 per lot, plus \$50 per employee hour, or portion thereof, devoted to completing the code compliance task, plus if heavy equipment is required by the City employees to complete the task, an additional fee will be charged to cover the cost of using that equipment.
2. Such fees for code compliance activities completed by City Employees are in addition to any fines that may be imposed by the Court as a result of prosecution for a misdemeanor.
3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
4. The caption of this Ordinance shall be published in a newspaper in circulation in the City of La Feria, at least once within ten days of passage of this Ordinance.
5. This Ordinance was published in the *La Feria News* on _____ (date) and shall become effective ten days after the publication date.

PASSED AND APPROVED THIS THE 28th DAY OF SEPTEMBER, 2010.




STEVE BREWER, MAYOR

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney